

AMENDED IN ASSEMBLY JUNE 21, 2005

AMENDED IN SENATE APRIL 21, 2005

AMENDED IN SENATE MARCH 30, 2005

**SENATE BILL**

**No. 787**

**Introduced by Senator McClintock**

February 22, 2005

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An act to add Section 3210 to the Government Code, relating to elections officials.

LEGISLATIVE COUNSEL'S DIGEST

SB 787, as amended, McClintock. Elections officials: restrictions on political activities.

Existing law prohibits a public officer or employee from engaging in activities that are inconsistent, incompatible, or in conflict with, or inimical to, his or her duties as a public officer or employee.

This bill would prohibit elections officials, as defined, from taking part in specified political activities *in connection with any candidate, including a candidate for any local, state, or federal office, or measure appearing on the ballot of a local election district over which the elections official has jurisdiction.*

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 3210 is added to the Government Code,
- 2 to read:
- 3 3210. (a) For purposes of this section, the following terms
- 4 have the following meanings:

1 (1) “Elections official” means a county clerk, city clerk,  
2 registrar of voters, or any other local agency officer or official  
3 who is charged with the duty of conducting an election.

4 (2) “Political organization” means any organization that has as  
5 one of its principal purposes or activities the support of or  
6 opposition to ballot measures or the support of or opposition to  
7 candidates for public office.

8 (b) Notwithstanding Section 3203, an elections official shall  
9 not engage in any of the following activities *in connection with*  
10 *any candidate, including a candidate for any local, state, or*  
11 *federal office, or measure appearing on the ballot of a local*  
12 *election district over which the elections official has jurisdiction:*

13 (1) Directly or indirectly urge or oppose the passage of, or  
14 solicit, receive, or make a monetary contribution in support of or  
15 in opposition to, ballot measures.

16 (2) Support or oppose the election of, or solicit, receive, or  
17 make monetary contributions in support of or in opposition to, a  
18 candidate other than himself or herself for election to any public  
19 office.

20 (3) If a member of a political organization, ~~not~~ actively  
21 participate as an officer, speaker, delegate, or alternate, or in any  
22 capacity involving the performance of services in distributing  
23 campaign literature or organizing, collecting funds for, or  
24 conducting or assisting in conducting a campaign to support or  
25 oppose a ballot measure or for the election of a candidate other  
26 than himself or herself.